

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
EUGENE DIVISION

JENNIFER MENDOZA ARIAS,

Plaintiff,

6:15-CV-02398-YY

v.

OPINION AND ORDER

COMMISSIONER, SOCIAL SECURITY  
ADMINISTRATION,

Defendant.

YOU, Magistrate Judge:

Plaintiff, Jennifer Mendoza Arias, seeks reversal of the Social Security Commissioner's final decision denying her application for Disability Insurance Benefits under Title II of the Social Security Act, 42 U.S.C. § 401-33. This court has jurisdiction under 42 U.S.C. § 405(g). All parties consented to entry of final judgment by a Magistrate Judge in accordance with FRCP 73 and 28 U.S.C. § 636(c). ECF #7.

The parties have submitted a Stipulated Motion for Remand (ECF #20). Based on the parties' stipulation, the Commissioner's final decision is reversed and this case is remanded to the Commissioner of the Social Security Administration for further

proceedings and a new decision with respect to Plaintiff's application for disability insurance benefits under Title II of the Social Security Act.

On remand, the administrative law judge (ALJ) shall:

1. Consider the claimant's cognitive impairment, including evidence submitted for the first time to the Appeals Council;
2. If necessary, reconsider step two, step three, the residual functional capacity assessment (including opinions and the claimant's subjective complaints), step four, and step five; and
3. Issue a new decision.

On remand, the ALJ and Plaintiff may raise and pursue additional issues. Plaintiff shall be entitled to move for reasonable attorney fees and costs, pursuant to 28 U.S.C. § 2412(d).

### **ORDER**

The Stipulated Motion for Remand (ECF #20) is GRANTED. Accordingly, the Commissioner's decision is reversed and this case is remanded to the Commissioner of the Social Security Administration pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings and a new decision, as set forth above.

DATED November 15, 2016.

/s/Youlee Yim You  
Youlee Yim You  
United States Magistrate Judge